

Appendix C

STATUTES AND REGULATIONS

This appendix has been designed to present only those laws and regulations, or portions thereof, which pertain more or less directly to wildland fire prevention on industrial operations. As such, this appendix should only be used as a quick field reference. For full and current text, meaning and proper context of laws and regulations reference should be made to the applicable codes, manuals, directives, etc.

I. STATE LAWS

A. Health and Safety Code (HSC)

Section 13108.5 - Buildings in Fire Hazard Severity Zones

The State Fire Marshal shall propose, and the State Building Standards Commission shall adopt, amend, and repeal regulations for openings into the attic areas of buildings in those fire hazard severity zones, including very high fire hazard severity zones, designated by the Director of Forestry and Fire Protection pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, and in very high fire hazard severity zones designated by a local agency pursuant to Chapter 6.8 (commencing with Section 51175) of Part 1 of Division 1 of Title 5 of the Government Code.

Section 13109 - Inspection Authority; Structural.

The State Fire Marshal, his or her deputies, or his or her salaried assistants, the chief of any city or county fire department or fire protection district and their authorized representatives may enter any building or premises not used for dwelling purposes at any reasonable hour for the purpose of enforcing this chapter. The owner, lessee, manager or operator of any such building or premises shall permit the State Fire Marshal, his or her deputies, his or her salaried assistants and the chief of any city or county fire department or fire protection district and their authorized representatives to enter and inspect them at the time and for the purpose stated in this section.

Section 13132.7 – Roof Replacement

(a) Within a very high fire hazard severity zone designated by the Director of Forestry and Fire Protection pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code and within a very high hazard severity zone designated by a local agency pursuant to Chapter 6.8 (commencing with Section 51175) of Part 1 of Division 1 of Title 5 of the Government Code, the entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, every new structure, and any roof covering applied in the alteration, repair, or replacement of the roof of every existing structure, shall be a fire retardant roof covering that is at least class B as defined in the Uniform Building Code, as adopted and amended by the State Building Standards Commission. (b) In all other areas, the entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, every new structure, and any roof covering applied in the alteration, repair, or replacement of the roof of every existing structure, shall be a fire retardant roof covering that is at least class C as defined in the Uniform Building Code, as adopted and amended by the State Building Standards Commission. (c) Notwithstanding subdivision (b), within state responsibility areas classified by the State Board of Forestry and Fire Protection pursuant to Article 3 (commencing with Section 4125) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, except for those state responsibility areas designated as moderate fire hazard

responsibility zones, the entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, every new structure, and any roof covering applied in the alteration, repair, or replacement of the roof of every existing structure, shall be a fire retardant roof covering that is at least class B as defined in the Uniform Building Code, as adopted and amended by the State Building Standards Commission. (d) (1) Notwithstanding subdivision (a), (b), or (c), within very high fire hazard severity zones designated by the Director of Forestry and Fire Protection pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code or by a local agency pursuant to Chapter 6.8 (commencing with Section 51175) of Part 1 of Division 1 of Title 5 of the Government Code, the entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, every new structure, and any roof covering applied in the alteration, repair, or replacement of the roof of every existing structure, shall be a fire retardant roof covering that is at least class A as defined in the Uniform Building Code, as adopted and amended by the State Building Standards Commission. (2) Paragraph (1) does not apply to any jurisdiction containing a very high fire hazard severity zone if the jurisdiction fulfills both of the following requirements: (A) Adopts the model ordinance approved by the State Fire Marshal pursuant to Section 51189 of the Government Code or an ordinance that substantially conforms to the model ordinance of the State Fire Marshal. (B) Transmits, upon adoption, a copy of the ordinance to the State Fire Marshal. (e) The State Building Standards Commission shall incorporate the requirements set forth in subdivisions (a), (b), and (c) by publishing them as an amendment to the California Building Standards Code in accordance with Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13. (f) Nothing in this section shall limit the authority of a city, county, city and county, or fire protection district in establishing more restrictive requirements, in accordance with current law, than those specified in this section. (g) This section shall not affect the validity of an ordinance, adopted prior to the effective date for the relevant roofing standard specified in subdivisions (a) and (b), by a city, county, city and county, or fire protection district, unless the ordinance mandates a standard that is less stringent than the standards set forth in subdivision (a), in which case the ordinance shall not be valid on or after the effective date for the relevant roofing standard specified in subdivisions (a) and (b). (h) Any qualified historical building or structure as defined in Section 18955 may, on a case-by-case basis, utilize alternative roof constructions as provided by the State Historical Building Code. (i) The installer of the roof covering shall provide certification of the roof covering classification, as provided by the manufacturer or supplier, to the building owner and, when requested, to the agency responsible for enforcement of this part. The installer shall also install the roof covering in accordance with the manufacturer's listing. (j) (1) No wood roofing materials shall be sold in this state unless: (A) On and after January 1, 1997, the materials have passed at least one year of the 10-year natural weathering test. (B) On and after January 1, 1998, the materials have passed at least two years of the 10-year natural weathering test. (C) On and after January 1, 1999, the materials have passed at least three years of the 10-year natural weathering test. (D) On and after January 1, 2000, the materials have passed at least four years of the 10-year natural weathering test. (E) On and after January 1, 2001, the materials have passed at least five years of the 10-year natural weathering test. (2) The 10-year natural weathering test required by this subdivision shall be conducted in accordance with standard 15-2 of the 1994 edition of the Uniform Building Code at a testing facility recognized by the State Fire Marshal. (k) The Insurance Commissioner shall accept the use of fire retardant wood roofing material that meets the requirements of this section, used in the partial repair or replacement of non fire retardant wood roofing material, as meeting the requirement in Section 2695.9 of Title 10 of the California Code of Regulations relative to matching replacement items in quality, color, and size.

B. Public Resources Code (PRC)

Section 4103.5 - Campfire Defined.

"Campfire" means a fire which is used for cooking, personal warmth, lighting, ceremonial, or aesthetic purposes, including fires contained within outdoor fireplaces and enclosed stoves with flues or chimneys, stoves using jellied, liquid, solid, or gaseous fuels, portable barbecue pits and braziers, or space heating devices which are used outside any structure, mobilehome, or living accommodation mounted on a motor vehicle. "Campfire" does not include portable lanterns designed to emit light resulting from a combustion process.

Section 4119 – Inspection Authority

The department, or its duly authorized agent, shall enforce the state forest and fire laws. The department may inspect all properties, except the interior of dwellings, subject to the state forest and fire laws, for the purpose of ascertaining compliance with such laws.

Section 4202 - Classification of Zones.

The director shall classify lands within state responsibility areas into fire hazard severity zones. Each zone shall embrace relatively homogeneous lands and shall be based on fuel loading, slope, fire weather, and other relevant factors present.

Section 4203 - Designation of Zones and Fire Hazard Ratings.

- (a) The director shall, by regulation, designate fire hazard severity zones and assign to each zone a rating reflecting the degree of severity of fire hazard that is expected to prevail in the zone.
- (b) No designation of a zone and assignment of a rating shall be adopted by the director until the proposed regulation has been transmitted to the board of supervisors of the county in which the zone is located at least 45 days prior to the adoption of the proposed regulation and a public hearing has been held in that county during that 45-day period.

Section 4204 - Review of Zones and Maps.

The director shall periodically review zones designated and rated pursuant to this article and, as necessary, shall revise zones or their ratings or repeal the designation of zones. Any revision of a zone or its rating or any repeal of a zone shall conform to the requirements of Section 4203. In addition, the revision or repeal of a zone may be petitioned pursuant to Sections 11340.6 and 11340.7 of the Government Code.

Section 4205 - Report of Legislative Committees.

The Director of Forestry and Fire Protection shall, not later than December 1, 1995, report to the appropriate committees of the Legislature on the impacts of designating very high fire hazard severity zones pursuant to Article 9 (commencing with Section 4201) of Chapter I of Part 2 of Division 4, and Chapter 6.8 (commencing with Section 51175) of Part I of Division I of Title 5 of the Government Code, including identifying and recommending how to reconcile any disparities between the different mapping programs.

Section 4290 - Adoption of Building Standards within State Responsibility Areas

(a) The board shall adopt regulations implementing minimum fire safety standards related to defensible space which are applicable to state responsibility area lands under the authority of the department. These regulations apply to the perimeters and access to all residential, commercial, and industrial building construction within state responsibility areas approved after January 1, 1991. The board may not adopt building standards, as defined in Section 18909 of the Health and Safety Code, under the authority of this section. As an integral part of fire safety standards, the State Fire Marshal has the authority to adopt regulations for roof coverings and openings into the attic areas of buildings specified in Section 13108.5 of the Health and Safety Code. The regulations apply to the placement of mobile homes as defined by National Fire Protection Association standards. These regulations do not apply where an application for a building permit was filed prior to January 1, 1991, or to parcel or tentative maps or other developments approved prior to January 1, 1991, if the final map for the tentative map is approved within the time prescribed by the local ordinance. The regulations shall include all of the following:

- (1) Road standards for fire equipment access.
- (2) Standards for signs identifying streets, roads, and buildings.
- (3) Minimum private water supply reserves for emergency fire use.
- (4) Fuel breaks and greenbelts.

(b) These regulations do not supersede local regulations which equal or exceed minimum regulations adopted by the state.

Section 4291 - Defensible Space.

Any person that owns, leases, controls, operates, or maintains any building or structure in, upon, or adjoining any mountainous area or forest-covered lands, brush-covered lands, or grass-covered lands, or any land which is covered with flammable material, shall at all times do all of the following:

- (a) Maintain around and adjacent to such building or structure a firebreak made by removing and clearing away, for a distance of not less than 30 feet on each side thereof or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This subdivision does not apply to single specimens of trees, ornamental shrubbery, or similar plants which are used as ground cover, if they do not form a means of rapidly transmitting fire from the native growth to any building or structure.
- (b) Maintain around and adjacent to any such building or structure additional fire protection or firebreak made by removing ail brush, flammable vegetation, or combustible growth which is located from 30 feet to 100 feet from such building or structure or to the property line, whichever is nearer, as may be required by the director if he finds that, because of extra hazardous conditions, a firebreak of only 30 feet around such building or structure is not sufficient to provide reasonable fire safety. Grass and other vegetation located more than 30 feet from such building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion.
- (c) Remove that portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe.
- (d) Maintain any tree adjacent to or overhanging any building free of dead or dying wood.
- (e) Maintain the roof of any structure free of leaves, needles, or other dead vegetative growth.
- (f) Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than one-half inch in size.
- (g) Except as provided in Section 18930 of the Health and Safety Code, the director may adopt regulations exempting structures with exteriors constructed entirely of nonflammable materials, or conditioned upon the contents and composition of same, he may vary the requirements respecting the removing or clearing away of flammable vegetation or other combustible growth with respect to the area surrounding said structures.

No such exemption or variance shall apply unless and until the occupant thereof, or if there be no occupant, then the owner thereof, files with the department, in such form as the director shall prescribe, a written consent to the inspection of the interior and contents of such structure to ascertain whether the provisions hereof and the regulations adopted hereunder are complied with at all times.

Section 4291.1 - Defensible Space; Violation.

(a) Notwithstanding Section 4021, a violation of Section 4291 is an infraction punishable by a fine of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500). If a person is convicted of a second violation of Section 4291 within five years, that person shall be punished by a fine of not less than two hundred fifty dollars (\$250), nor more than five hundred dollars (\$500). If a person is convicted of a third violation of Section 4291 within five years, that person is guilty of a misdemeanor and shall be punished by a fine of not less than five hundred dollars (\$500). If a person is convicted of a third violation of Section 4291 within five years, the department may perform or contract for the performance of work necessary to comply with Section 4291 and may bill the person convicted for the costs incurred, in which case the person convicted, upon payment of those costs, shall not be required to pay the fine. If a person convicted of a violation of Section 4291 is granted probation, the court shall impose as a term or condition of probation, in addition to any other term or condition of probation, that the person pay at least the minimum fine prescribed in this section.

(b) If a person convicted of a violation of Section 4291 produces in court verification prior to imposition of a fine by the court, that the condition resulting in the citation no longer exists, the court may reduce the fine imposed for the violation of Section 4291 to fifty dollars (\$50).

Section 4292 - Electric Power Lines; Fire Hazard Reduction; Exemptions.

Except as otherwise provided in Section 4296, any person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land, or forest-covered land, brush-covered land, or grass-covered land shall, during such times and in such areas as are determined to be necessary by the director or the agency which has primary responsibility for fire protection of such areas, maintain around and adjacent to any pole or tower which supports a switch, fuse, transformer, lightning arrester, line junction, or dead end or corner pole, a firebreak which consists of a clearing of not less than 10 feet in each direction from the outer circumference of such pole or tower. This section does not, however, apply to any line which is used exclusively as telephone, telegraph, telephone or telegraph messenger call, fire or alarm line, or other line which is classed as a communication circuit by the Public Utilities Commission. The director or the agency which has primary fire protection responsibility for the protection of such areas may permit exceptions from the requirements of this section which are based upon the specific circumstances involved.

Section 4293 - Power Line Clearance Required; Distance.

Except as otherwise provided in Sections 4294 to 4296, inclusive, any person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land, or in forest-covered land, brush-covered land, or grass-covered land shall, during such times and in such areas as are determined to be necessary by the director or the agency which has primary responsibility for the fire protection of such areas, maintain a clearance of the respective distances which are specified in this section in all directions between all vegetation and all conductors which are carrying electric current:

(a) For any line which is operating at 2,400 or more volts, but less than 72,000 volts, four feet.

(b) For any line which is operating at 72,000 or more volts, but less than 110,000 volts, six feet.

(c) For any line which is operating at 110,000 or more volts, 10 feet.

In every case, such distance shall be sufficiently great to furnish the required clearance at any position of the wire, or conductor when the adjacent air temperature is 120 degrees Fahrenheit, or less. Dead trees,

old decadent or rotten trees, trees weakened by decay or disease and trees or portions thereof that are leaning toward the line which may contact the line from the side or may fall on the line shall be felled, cut, or trimmed so as to remove such hazard. The director or the agency which has primary responsibility for the fire protection of such areas may permit exceptions from the requirements of this section which are based upon the specific circumstances involved.

Section 4294 - Aerial Cable Clearance.

A clearing to obtain line clearance is not required if self-supporting aerial cable is used. Forked trees, leaning trees, and any other growth which may fall across the line and break it shall, however, be removed.

Section 4295 - When Clearance Required; Distance.

A person is not required by Section 4292 or 4293 to maintain any clearing on any land if such person does not have the legal right to maintain such clearing, nor do such sections require any person to enter upon or to damage property which is owned by any other person without the consent of the owner of the property.

Section 4296 - Low Voltage Lines.

Sections 4292 and 4293 do not apply if the transmission or distribution line voltage is 750 volts or less.

Section 4423 - Burning Permits.

A person shall not burn any brush, stumps, logs, fallen timber, fallows, slash, grass-covered land, brush-covered land, forest-covered land, or other flammable material, in any state responsibility area receiving fire protection by the department by contract, or upon federal lands administered by the United States Department of Agriculture or Department of the Interior, unless the person has a written permit from the department or its duly authorized representative or the authorized federal officer on federal lands administered by the United States Department of Agriculture or of the Interior and in strict accordance with the terms of the permit:

(a) At any time in Zone A.

(b) At any time in Zone B between May 1st and the date the director declares, by proclamation, that the hazardous fire conditions have abated for that year, or at any other time in Zone B during any year when the director has declared, by proclamation, that unusual fire hazard conditions exist in the area.

The issuing agency may require the permittee to contact the agency to determine permit suspension status prior to burning.

Section 4427 - Clearing and Tools Required

During any time of the year when burning permits are required in an area pursuant to this article, no person shall use or operate any motor, engine, boiler, stationary equipment, welding equipment, cutting torches, tarpots, or grinding devices from which a spark, fire, or flame may originate, which is located on or near any forest-covered land, brush-covered land, or grass-covered land, without doing both of the following:

(a) First clearing away all flammable material, including snags, from the area around such operation for a distance of 10 feet.

(b) Maintain one serviceable round point shovel with an overall length of not less than forty-six (46) inches and one backpack pump water-type fire extinguisher fully equipped and ready for use at the immediate area during the operation.

This section does not apply to portable powersaws and other portable tools powered by a gasoline-fueled internal combustion engine.

Section 4431 - Portable Gas Powered Tools.

During any time of the year when burning permits are required in an area pursuant to this article, no person shall use or operate or cause to be operated in the area any portable saw, auger, drill, tamper, or other portable tool powered by a gasoline-fueled internal combustion engine on or near any forest-covered land, brush-covered land, or grass-covered land, within 25 feet of any flammable material, without providing and maintaining at the immediate locations of use or operation of the saw or tool, for firefighting purposes one serviceable round point shovel, with an overall length of not less than 46 inches, or one serviceable fire extinguisher. The Director of Forestry and Fire Protection shall by administrative regulation specify the type and size of fire extinguisher necessary to provide at least minimum assurance of controlling fire caused by use of portable power tools under various climatic and fuel conditions. The required fire tools shall at no time be farther from the point of operation of the power saw or tool than 25 feet with unrestricted access for the operator from the point of operation.

Section 4432 - Neglecting a Campfire.

A person shall not leave a campfire, kindled or attended by him, burning or unextinguished unless one of the following requirements is satisfied:

- (a) He leaves some person in attendance.
- (b) The fire is enclosed within a stove, oven, drum, or other nonflammable container, in such manner that the fire cannot escape from the container.

No person shall allow a campfire, kindled or attended by him, to spread after it is built.

Section 4433 - Campfire Permit Required

A person shall not light, maintain, or use a campfire upon any brush-covered land, grass-covered land, or forest-covered land which is the property of another person unless he first obtains a written permit from the owner, lessee, or agent of the owner or lessee of the property.

If, however, campsites and special areas have been established by the property owner and posted as areas for camping, a permit is not necessary.

A written campfire permit duly issued by or under the authority of the United States Forest Service is necessary for use on land under the jurisdiction and control of the United States Forest Service.

Section 4434 - Campfire Escape

The escape of any campfire from the control of any person who is maintaining the campfire is prima facie evidence that such person was negligent in maintaining the campfire.

Section 4442 - Spark Arresters.

(a) Except as otherwise provided in this section, no person shall use, operate, or allow to be used or operated, any internal combustion engine which uses hydrocarbon fuels on any forest-covered land, brush-covered land, or grass-covered land unless the engine is equipped with a spark arrester, as defined in subdivision (c), maintained in effective working order or the engine is constructed, equipped, and maintained for the prevention of fire pursuant to Section 4443.

(b) Spark arresters affixed to the exhaust system of engines or vehicles subject to this section shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.

(c) A spark arrester is a device constructed of nonflammable materials specifically for the purpose of removing and retaining carbon and other flammable particles over 0.0232 of an inch in size from the exhaust flow of an internal combustion engine that uses hydrocarbon fuels or which is qualified and rated by the United States Forest Service.

(d) Engines used to provide motive power for trucks, truck tractors, buses, and passenger vehicles, except motorcycles, are not subject to this section if the exhaust system is equipped with a muffler as defined in the Vehicle Code.

(e) Turbocharged engines are not subject to this section if all exhausted gases pass through the rotating turbine wheel, there is no exhaust bypass to the atmosphere, and the turbocharger is in effective mechanical condition.

(f) Motor vehicles when being operated in an organized racing or competitive event upon a closed course are not subject to this section if the event is conducted under the auspices of a recognized sanctioning body and by permit issued by the fire protection authority having jurisdiction.

Section 4442.5 - Written Notice.

No person shall sell, offer for sale, lease, or rent to any person any internal combustion engine subject to Section 4442 or 4443, and not subject to Section 13005 of the Health and Safety Code, unless the person provides a written notice to the purchaser or bailee, at the time of sale or at the time of entering into the lease or rental contract, stating that it is a violation of Section 4442 or 4443 to use or operate the engine on any forest-covered, brush-covered, or grass-covered land unless the engine is equipped with a spark arrester, as defined in Section 4442, maintained in effective working order or the engine is constructed, equipped, and maintained for the prevention of fire pursuant to Section 4443.

Section 4443 - Campfire Escape

No person shall use, operate, or cause to be operated on any forest-covered land, brush-covered land, or grass-covered land any handheld portable, multiposition, internal-combustion engine manufactured after June 30, 1978, which is operated on hydrocarbon fuels, unless it is constructed and equipped and maintained for the prevention of fire.

The board shall, by regulation, specify standards for construction, equipment, and maintenance of such engines for the prevention of fire and shall specify a uniform method of testing to be used by engine and equipment manufacturers, governmental agencies, and equipment users. The regulations shall include specification of exhaust system standards for carbon particle retention or destruction, exposed surface temperature, gas temperature, flammable debris accumulation, durability, and serviceability.

Portable power saw and other portable equipment described in this section which were manufactured prior to July 1, 1978, shall be subject to fire safety design specifications as prescribed by the board.

Section 4446 - Incinerator Permit Required

Every person shall exercise reasonable care in the disposal of flammable material so that the material does not cause the inception of or spread of uncontrolled fire. A person shall not burn any flammable material in any incinerator within any state responsibility area, within any area receiving fire protection by the director by contract, or upon federal lands administered by the United States Department of Agriculture or Department of the Interior, unless all of the following minimum requirements are complied with:

(a) The area within 10 feet of the exterior of the incinerator is maintained free and clear of all flammable material and vegetation.

(b) A screen constructed of a nonflammable material, with no greater than 1/4-inch mesh, or metal doors, close or cover each opening in the exterior of an incinerator to prevent the escape of flames, sparks, ashes, or other burning material which might cause an uncontrolled fire.

(c) A permit is obtained prior to burning for the use of the incinerator pursuant to Section 4423 and all other applicable provisions of law.

This section does not apply to the disposal of flammable material incident to the processing of forest products.

II. STATE REGULATIONS

Title 14, California Code of Regulations (14 CCR)

Section 1270 - SRA Fire Safe Regulations - Title.

These regulations shall be known as the "SRA Fire Safe Regulations," and shall constitute the basic wildland fire protection standards of the California Board of Forestry.

Section 1270.01 - Purpose.

These regulations have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction and developments in SRA. A local jurisdiction may petition the Board for certification pursuant to Section 1270.03. Where Board certification has not been granted, these regulations shall become effective September 1, 1991. The future design and construction of structures, subdivisions and developments in state responsibility srea (SRA) shall provide for basic emergency access and perimeter wildfire protection measures as specified in the following articles. These measures shall provide for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification. The fire protection standards which follow shall specify the minimums for such measures.

Section 1270.02 - Scope.

These regulations do not apply to existing structures, roads, streets and private lanes or facilities. These regulations shall apply as appropriate to all construction within SRA approved after January 1, 1991.

Affected activities include but are not limited to:

- (a) permitting or approval of new parcels, excluding lot line adjustments as specified in Government Code (GC) Section 66412(d).
- (b) application for a building permit for new construction, not relating to an existing structure,
- (c) application for a use permit,
- (d) the siting of manufactured homes (manufactured homes are as defined by the National Fire Protection Association, National Fire Code, Section 501A, Standard for Fire Safety Criteria for Manufactured Home Installations, Sites and Communities, Chapter 1, Section 1-2, Definitions, page 4, 1987 edition and Health and Safety Code Sections 18007, 18008, and 19971).
- (e) road construction, including construction of a road that does not currently exist, or extension of an existing road.

Section 1270.03 - Local Ordinances.

Nothing contained in these regulations shall be considered as abrogating the provisions of any ordinance, rule or regulations of any state or local jurisdiction providing such ordinance, rule, regulation or general plan element is equal to or more stringent than these minimum standards. The Board may certify local ordinances as equaling or exceeding these regulations when they provide the same practical effect.

Section 1270.04 - Provisions for Application of These Regulations

This subchapter shall be applied as follows:

- (a) local jurisdictions shall provide the Director with notice of applications for building permits, tentative parcel maps, tentative maps, and use permits for construction or development within SRA.
- (b) the Director shall review and make fire protection recommendations on applicable construction or development permits or maps provided by the local jurisdiction.
- (c) the local jurisdiction shall ensure that the applicable sections of this subchapter become a condition of approval of any applicable construction or development permit or map.

Section 1270.05 - Inspection Authority.

- (a) Inspection shall be made pursuant to Section 1270.06 by:
 - (1) the Director, or
 - (2) local jurisdictions that have assumed state fire protection responsibility on SRA lands, or
 - (3) local jurisdictions where these regulations have been implemented through that jurisdiction's building permit or subdivision approval process.
- (b) Reports of violations shall be provided to the CDF Ranger Unit headquarters that administers SRA fire protection in that county.

Section 1270.06 - Inspections.

The inspection authority may inspect for compliance with these regulations. When inspections are conducted, they should occur prior to: the issuance of the use permit; certificate of occupancy; the recordation of the parcel map or final map; the filing of a notice of completion; or the final inspection of any project or building permit.

Section 1270.07 - Exceptions to Standards.

Upon request by the applicant, exceptions to standards within this subchapter and mitigated practices may be allowed by the inspection authority, where the exception provides the same overall practical effect as these regulations towards providing defensible space.

Section 1270.08 - Requests for Exceptions.

Requests for an exception shall be made in writing to the inspection authority by the applicant or the applicant's authorized representative. The request shall state the specific section(s) for which an exception is requested, material facts supporting the contention of the applicant, the details of the exception or mitigating measure proposed, and a map showing the proposed location and siting of the exception or mitigation measure.

Section 1270.09 - Appeals.

Where an exception is not granted by the inspection authority, the applicant may appeal such denial to the local jurisdiction. The local jurisdiction may establish or utilize an appeal process consistent with existing local building or planning department appeal processes.

Before the local jurisdiction makes a determination on an appeal, the inspection authority shall be consulted and shall provide to that local jurisdiction documentation outlining the effects of the requested exception on wildland fire protection.

If an appeal is granted, the local jurisdiction shall make findings that the decision meets the intent of providing defensible space consistent with these regulations. Such findings shall include a statement of

reasons for the decision. A written copy of these findings shall be provided to the CDF Ranger Unit headquarters that administers SRA fire protection in that county.

Section 1271.00 - Definitions.

Accessory building: Any building used as an accessory to residential, commercial, recreational, industrial, or educational purposes as defined in the California Building Code.

Agriculture: Land used for agricultural purposes as defined in a local jurisdiction's zoning ordinances.

Building: Any structure used or intended for supporting or sheltering any use or occupancy that is defined in the California Building Code. For the purposes of this subchapter, building includes mobile homes and manufactured homes, churches, and day care facilities.

CDF: California Department of Forestry and Fire Protection.

Dead-end road: A road that has only one point of vehicular ingress/egress, including cul-de-sacs and looped roads.

Defensible space: The area within the perimeter of a parcel, development, neighborhood or community where basic wildland fire protection practices and measures are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter as used in this regulation is the area encompassing the parcel or parcels proposed for construction and/or development, excluding the physical structure itself. The area is characterized by the establishment and maintenance of emergency vehicle access, emergency water reserves, street names and building identification, and fuel modification measures.

Development: As defined in Section 66418.1 of the California Government Code.

Director: Director of the Department of Forestry and Fire Protection or his/her designee.

Driveway: A vehicular access that serves no more than two buildings, with no more than 3 dwelling units on a single parcel, and any number of accessory buildings.

Dwelling unit: Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and/or sanitation for not more than one family.

Exception: An alternative to the specified standard requested by the applicant that may be necessary due to health, safety, environmental conditions, physical site limitations or other limiting conditions such as recorded historical sites, that provides mitigation of the problem.

Fire valve: see hydrant.

Fuel modification area: An area where the volume of flammable vegetation has been reduced, providing reduced fire intensity and duration.

Greenbelt: A facility or land-use, designed for a use other than fire protection, which will slow or resist the spread of a wildfire. Includes parking lots, irrigated or landscaped areas, golf courses, parks playgrounds, maintained vineyards, orchards or annual crops that do not cure in the field.

Hammerhead/T: A roadway that provides a "T" shaped, three-point turnaround space for emergency equipment, being no narrower than the road that serves it.

Hydrant: A valved connection on a water supply/storage system, having at least one 2 1/2 inch outlet, with male American National Fire Hose Screw Threads (NH) used to supply fire apparatus and hoses with water.

Local Jurisdiction: Any county, city/county agency or department, or any locally authorized district that issues or approves building permits, use permits, tentative maps or tentative parcel maps, or has authority to regulate development and construction activity.

Occupancy: The purpose for which a building, or part thereof, is used or intended to be used.

One-way road: A minimum of one traffic lane width designed for traffic flow in one direction only.

Roads, streets, private lanes: Vehicular access to more than one parcel; access to any industrial or commercial occupancy; or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

Roadway: Any surface designed, improved, or ordinarily used for vehicle travel.

Roadway structures: Bridges, culverts, and other appurtenant structures which supplement the roadway bed or shoulders.

Same Practical Effect: As used in this subchapter, means an exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including:

- (a) access for emergency wildland fire equipment,
- (b) safe civilian evacuation,
- (c) signing that avoids delays in emergency equipment response,
- (d) available and accessible water to effectively attack wildfire or defend a structure from wildfire, and
- (e) fuel modification sufficient for civilian and fire fighter safety.

Shoulder: Roadbed or surface adjacent to the traffic lane.

State Board of Forestry (SBOF): A nine member board, appointed by the Governor, which is responsible for developing the general forest policy of the state, for determining the guidance policies of the Department of Forestry and Fire Protection, and for representing the state's interest in federal land in California.

State Responsibility Area (SRA): As defined in Public Resources Code Sections 4126-4127; and the California Code of Regulations, title 14, Division 1.5, Chapter 7, Article 1, Sections 1220-1220.5.

Structure: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Subdivision: As defined in Section 66424 of the Government Code.

Traffic lane: The portion of a roadway that provides a single line of vehicle travel.

Turnaround: A roadway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment. Design of such area may be a hammerhead/T or terminus bulb.

Turnouts: A widening in a roadway to allow vehicles to pass.

Vertical clearance: The minimum specified height of a bridge or overhead projection above the roadway.

Wildfire: As defined in Public Resources Code Sections 4103 and 4104.

Section 1272.00 - Maintenance of Defensible Space Measures.

To ensure continued maintenance of properties in conformance with these standards and measures and to assure continued availability, access, and utilization of the defensible space provided for in these standards during a wildfire, provisions for annual maintenance shall be included in the development plans and/or shall be provided as a condition of the permit, parcel or map approval.

Section 1273.00 - Emergency Access - Intent.

Road and street networks, whether public or private, unless exempted under Section 1270.02(e), shall provide for safe access for emergency wildland fire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with Sections 1273.00 through 1273.11.

Section 1273.01 - Road Width.

All roads shall be constructed to provide a minimum of two nine-foot traffic lanes providing two-way traffic flow, unless other standards are provided in this article, or additional requirements are mandated by local jurisdictions or local subdivision requirements.

Section 1273.02 - Roadway Surface.

The surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting a 40,000 pound load.

Section 1273.03 - Roadway Grades.

The grade for all roads, streets, private lanes and driveways shall not exceed 16 percent.

Section 1273.04 - Roadway Radius.

- (a) No roadway shall have a horizontal inside radius of curvature of less than 50 feet and additional surface width of 4 feet shall be added to curves of 50-100 feet radius; 2 feet to those from 100-200 feet.
- (b) The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than 100 feet.

Section 1273.05 - Roadway Turnarounds.

Turnarounds are required on driveways and dead-end roads as specified in this article. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

Section 1273.06 - Roadway Turnouts.

Turnouts shall be a minimum of 10 feet wide and 30 feet long with a minimum 25 foot taper on each end.

Section 1273.07 - Roadway Structures.

- (a) All driveway, road, street, and private lane roadway structures shall be constructed to carry at least the maximum load and provide the minimum vertical clearance as required by Vehicle Code Sections 35550, 35750, and 35250.
- (b) Appropriate signing, including but not limited to weight or vertical clearance limitations, one-way road or single land conditions, shall reflect the capability of each bridge.
- (c) A bridge with only one traffic lane may be authorized by the local jurisdiction; however, it shall provide for unobstructed visibility from one end to the other and turnouts at both ends.

Section 1273.08 - One-way Roads.

All one-way roads shall be constructed to provide a minimum of one 10-foot traffic lane. The local jurisdiction may approve one-way roads. All one-way roads shall connect to a two-lane roadway at both ends, and shall provide access to an area currently zoned for no more than 10 dwelling units. In no case shall it exceed 2640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.

Section 1273.09 - Dead-End Roads.

- (a) The maximum length of a dead-end road, including all dead-end roads accessed from the dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 - parcels zoned for less than one acre - 800 feet
 - parcels zoned for 1 acre to 4.99 acres - 1320 feet
 - parcels zoned for 5 acres to 19.99 acres - 2640 feet

- parcels zoned for 20 acres or larger - 5280 feet

All lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes, requiring different length limits, the shortest allowable length shall apply.

(b) Where parcels are zoned 5 acres or larger, turnarounds shall be provided at a maximum of 1320 foot intervals.

(c) Each dead-end road shall have a turnaround constructed at its terminus.

Section 1273.10 -Driveways.

All driveways shall provide a minimum 10 foot traffic lane and unobstructed vertical clearance of 15 feet along its entire length.

(a) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.

(b) A turnaround shall be provided at all buildings sites on driveways over 300 feet in length, and shall be within 50 feet of the building.

Section 1273.11 - Gate Entrances.

(a) Gate entrances shall be at least two feet wider than the width of the traffic lane(s) serving that gate.

(b) All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.

(c) Where a one-way road with a single traffic lane provides access to a gated entrance, a 40 foot turning radius shall be used.

Section 1274.00 - Signing and Building Numbering - Intent

To facilitate locating a fire and to avoid delays in response, all newly constructed or approved roads, street, and buildings shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. This section shall not restrict the size of letters or numbers appearing on street signs for other purposes.

Section 1274.01 - Size of Letters, Numbers and Symbols for Street and Road Signs

Size of letters, numbers, and symbols for street and road signs shall be a minimum 3 inch letter height, 3/8 inch stroke, reflectorized, contrasting with the background color of the sign.

Section 1274.02 - Visibility and Legibility of Street and Road Signs

Street and road signs shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet.

Section 1274.03 - Height of Street and Road Signs.

Height of street and road signs shall be uniform county wide, and meet the visibility and legibility standards of this article.

Section 1274.04 - Names and Numbers on Street and Road Signs

Newly constructed or approved public and private roads and streets must be identified by name or number through a consistent county-wide system that provides for sequenced or patterned numbering and/or non-duplicating naming within each county. All signs shall be mounted and oriented in a uniform manner. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering.

Section 1274.05 - Intersecting Roads, Streets and Private Lanes.

Signs required by this article identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets, and/or private lanes.

Section 1274.06 - Signs Identifying Traffic Access Limitations.

A sign identifying traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, shall be placed: (a) at the intersection preceding the traffic access limitation, and (b) no more than 100 feet before such traffic access limitation.

Section 1274.07 - Installation of Road, Street and Private Lane Signs

Road, street and private lane signs required by this article shall be installed prior to final acceptance by the local jurisdiction of road improvements.

Section 1274.08 - Addresses for Buildings

All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction's overall address system. Accessory buildings will not be required to have a separate address; however, each dwelling unit within a building shall be separately identified.

Section 1274.09 - Size of Letters, Numbers and Symbols for Addresses.

Size of letters, numbers and symbols for addresses shall be a minimum 3 inch letter height, 3/8 inch stroke, reflectorized, contrasting with the background color of the sign.

Section 1274.10 - Installation, Location and Visibility of Addresses.

- (a) All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible for the road on which the address is located.
- (b) Address signs along on-way roads shall be visible from both the intended direction of travel and the opposite direction.
- (c) Where multiple addresses are required at a single driveway, they shall be mounted on a single post.
- (d) Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site.

Section 1275.00 - Emergency Water Standards - Intent.

Emergency water for wildfire protection shall be available and accessible in quantities and locations specified in the statute and these regulations, in order to attack a wildfire or defend property from a wildfire.

Such emergency water may be provided in a fire agency mobile water tender, or naturally occurring or man-made containment structure, as long as the specified quantity is immediately available.

Section 1275.01 - Application.

The provisions of this article shall apply when new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved.

Section 1275.10 - General Standards.

Water systems that meet or exceed the standards specified in Public Utilities Commission of California (PUC) revised General Order # 103, Adopted June 12, 1956 (Corrected September 7, 1983, Decision 83-09-001), Section VIII Fire Protection Standards and other applicable sections relating to fire protection water delivery systems, static water systems equaling or exceeding the National Fire Protection Association (NFPA) Standard 123 1, "Standard on Water Supplies for Suburban and Rural Fire Fighting," 1989 Edition, or mobile water systems that meet the Insurance Services Office (ISO) Rural Class 8, 2nd Edition 3-80, standard shall be accepted as meeting the requirements of this article. These documents are available at CDF Ranger Unit Headquarters.

Nothing in this article prohibits the combined storage of emergency wildfire and structural firefighting water supplies unless so prohibited by local ordinance or specified by the local fire agency.

Where freeze protection is required by local jurisdictions, such protection measures shall be provided.

Section 1275.15 - Hydrant/Fire Valve.

(a) The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor farther than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway.

The hydrant serving any building shall:

- (1) be not less than 50 feet nor more than 1/2 mile by road from the building it is to serve, and
 - (2) be located at a turnout or turnaround, along the driveway to that building or along the road that intersects with that driveway.
- (b) The hydrant head shall be brass with 2 1/2 inch National Hose male thread with cap for pressure and gravity flow systems and 4 1/2 inch draft systems. Such hydrants shall be wet or dry barrel as required by the delivery system. They shall have suitable crash protection as required by the local jurisdiction.

Section 1275.20 - Signing of Water Sources.

Each hydrant/fire valve or access to water shall be identified as follows:

- (a) if located along a driveway, a reflectorized blue marker, with a minimum dimension of 3 inches shall be located on the driveway address sign and mounted on a fire retardant post, or
- (b) if located along a street or road,
 - (1) a reflectorized blue marker, with a minimum dimension of 3 inches, shall be mounted on a fire retardant post. The sign post shall be within 3 feet of said hydrant/fire valve, with the sign no less than 3 feet nor greater than 5 feet above ground, in a horizontal position and visible from the driveway, or

(2) as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

Section 1276.00 - Fuel Modification Standards - Intent.

To reduce the intensity of a wildfire by reducing the volume and density of flammable vegetation, the strategic siting of fuel modification and greenbelts shall provide

- (1) increased safety for emergency fire equipment and evacuating civilians; and
- (2) a point of attack or defense from a wildfire.

Section 1276.01 - Setback for Structure Defensible Space.

(a) All parcels 1 acre and larger shall provide a minimum 30 foot setback for buildings and accessory buildings from all property lines and/or the center of a road.

(b) For parcels less than 1 acre, local jurisdictions shall provide for the same practical effect.

Section 1276.02 - Disposal of Flammable Vegetation and Fuels.

Disposal, including chipping, burying, burning or removal to a landfill site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit.

Section 1276.03 - Greenbelts.

Subdivisions and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically, as a separation between wildland fuels and structures. The locations shall be approved by the inspection authority.

Section 1280 - Fire Hazard Severity Zones

The fire hazard severity zones and the rating reflecting the degree of severity of fire hazard that is expected to prevail in those zones, shall be designated by the Director and delineated on a series of maps on file in the Sacramento Office of the Department of Forestry, 1416 Ninth Street, Room 1653-10. The maps are entitled "Maps of Fire Hazard Severity Zones in the State Responsibility Area of California," dated August 1984.

Section 1295 - Order Format.

An order to destroy, remove or modify vegetation or other flammable material, pursuant to PRC 4296.5 shall be made substantially in the following format: (Name, Address and Telephone Number of Director's Agent or Agency having Primary responsibility for Fire Protection).

Section 1402 - Camping Area.

(a) No person shall prepare, ignite, maintain or use a campfire in any place other than a designated camping area unless that person or someone in attendance has in their possession a valid state forest campfire and special use permit. Failure to comply with the terms and conditions set forth on said permit shall render it invalid for purposes of this section.

- (b) No person shall prepare or ignite a campfire which is or will be unreasonably large and/or dangerous to the surrounding land, or maintain such a fire after having been ordered by a state forest officer to reduce or extinguish it.
- (c) No person shall leave a campfire ignited, maintained or used by that person unattended.

III. FEDERAL REGULATIONS

U. S. Forest Service Title 36 Code of Federal Regulations (36 CFR)

Section 261.52 - Fire. When provided by an order, the following are prohibited:

- (a) Building, maintaining, attending or using a fire, campfire, or stove fire.
- (b) Using an explosive.
- (c) Smoking.
- (d) Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material.
- (e) Going into or being upon an area.
- (f) Possessing, discharging or using any kind of firework or other pyrotechnic device.
- (g) Entering an area without any firefighting tool prescribed by the order.
- (h) Operating an internal combustion engine except on a road.
- (i) Welding, or operating an acetylene or other torch with open flame.
- (j) Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order, meeting either: (1) Department of Agriculture, Forest Service Standard 5100-1a; or (2) the appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a).
- (k) Violating any state law specified in the order concerning burning, fires or which is for the purpose of preventing, or restricting the spread of fires.

Note: By authority of this regulation several California statutes have been adopted as Federal Regulations on National Forest land. See below.

Order No. 91-1.

Fire Restrictions—Pacific Southwest Region

Pursuant to 36 CFR 261.50 (a) and (b), each of the following is prohibited on lands, Forest Development Roads or Trails under my jurisdiction:

1. Building, maintaining, attending or using a fire, campfire or stove fire in any area outside a developed recreation site. 36 CFR 261.52(a).
 - (a) In Zone A as defined in California Public Resources Code 4413.
 - (b) In Zone B as defined in California Public Resources Code 4413, from May 1 until the date the hazardous fire conditions have been proclaimed abated for the year.
2. Using an explosive. 36 CFR 261.52(b)
3. Smoking, except within an enclosed vehicle or building, a developed recreation site, a designated smoking area, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material. 36 CFR 261.52(d).
 - (a) In Zone A as defined in California Public Resources Code 4413.
 - (b) In Zone B as defined in California Public Resources Code 4413, from May 1 until the date the hazardous fire conditions have been proclaimed abated for the year.

4. Possessing, discharging or using any kind of firework or other pyrotechnic device. 36 CFR 261.52(f).
5. Welding or operating any acetylene or other torch with open flame. 36 CFR 261.52(i).
 - (a) In Zone A as defined in California Public Resources Code 4413.
 - (b) In Zone B as defined in California Public Resources Code 4413, from May 1 until the date that the hazardous fire conditions have been proclaimed abated for the year.
6. Operating or using any internal or external combustion engine on any timber, without a spark arresting device properly installed, maintained and in effective working order meeting either: (1) Department of Agriculture, Forest Service Standard 5100-1a; or (2) appropriate Society of Automotive Engineers (SAE) Recommended Practice J335(b) and J350(a). Motor trucks, truck tractors, buses and passenger vehicles, except motorcycles, are not subject to the provisions if the exhaust system is equipped with a muffler as defined in the California Vehicle Code. 36 CFR 261.52(j).
7. Violating any of the following California State Forest and Fire Laws on National Forest Boundary, or adjacent thereto, when such act or omission affects, threatens, or endangers property of the United States administered by the Forest Service. 36 CFR 261.52(k).
Public Resources Code:
 - ✓ 4291 - Reduction of Fire Hazards Around Buildings
 - ✓ 4292 - Powerline Hazard Reduction
 - ✓ 4293 - Powerline Clearance Required
 - ✓ 4296.5 - Railroad Rights-of-way Clearance
 - ✓ 4373 - Minimum Requirements for Rubbish Dumps (under permit)
 - ✓ 4374 - Minimum Requirements for Rubbish Dumps
 - ✓ 4423 - Written Permit Required for Burning
 - ✓ 4427 - Clearance and Tools Required
 - ✓ 4428 - Firefighting Tools Required on Industrial Operations
 - ✓ 4429 - Industrial Camp Tool Cache
 - ✓ 4430 - Steam-operated Engine Equipment Requirements
 - ✓ 4431 - Gasoline Power Saw - Clearance and Equipment Required
 - ✓ 4438 - Forest Product Waste Disposal (enclosed)
 - ✓ 4439 - Forest Product Waste Disposal (open)
 - ✓ 4440 - Forest Product Waste Storage
 - ✓ 4446 - Incinerator Standards

Pursuant to 36 CFR 261.50(e), each of the following are exempt from this Order:

- a. Persons with a permit specifically authorizing the otherwise prohibited act or omission.
- b. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

This order supersedes Order 83-2, issued August 16, 1983. These Prohibitions are in addition to the General Publications in 36 CFR Part 261. This Order may be made more restrictive by temporary orders issued by the Regional Forester or a Forest Supervisor during periods of fire danger.

Executed in San Francisco, California this 24th day of July 1991.

/s/ Laurence Bembry
for Ronald E. Stewart
Regional Forester
Pacific Southwest Region

Violation of these prohibitions is punishable by a fine of not more than \$5,000.00 for an individual, or \$10,000.00 for an organization, or imprisonment for not more than six months or both. See Title 18, U.S. Code Section 3571.